

Dear Mr. Bensman:

Thank you for your presentation before the Mississippi River Commission during the public meeting held in St. Louis, Missouri, on August 15, 2003. In your statement you (1) commented on the role of the U.S. Army Corps of Engineers in managing our Nation's water resources, (2) raised concerns regarding Public Law 106-554, (3) raised concerns about navigation structures, (4) questioned the use of the Motor Vessel MISSISSIPPI for holding public meetings, (5) questioned the purpose of the semiannual inspection trips, and (6) questioned the management of the 9-foot navigation channel.

The Corps enjoys a proud heritage that began in 1775 when the Continental Congress authorized the first Chief of Engineers to build fortifications near Boston at Bunker Hill. This represented the genesis of the Corps' military works mission. In 1824, a landmark decision by the U.S. Supreme Court prompted Congress to pass two laws cementing the role of the Federal government in funding and implementing internal improvements for a young and developing nation. The Federal government turned to the Corps to carry out this public works mission and, since then, the Corps has fulfilled its military and civil works missions under the auspices of the Legislative and Executive Branches of the government.

The Corps is composed of civilian and military men and women. The engineers, scientists and other specialists work hand in hand as leaders in engineering and environmental matters. The diverse work force of biologists, engineers, geologists, hydrologists, natural resource managers, and other professionals meets the demands of changing times and requirements for serving the U.S. Army and the nation.

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You also expressed concerns regarding the Corps' implementation of Section 515 of the Fiscal Year 2001 Treasury and General Government Appropriations Act, Public Law 106-554, commonly referred to as the Data Quality Act (DQA). Pursuant to the Data Quality Act, the Office of Management and Budget (OMB) has issued Information quality guidelines (IQG) that provide "policy and procedural guidance to Federal Agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by Federal agencies." OMB has directed that each Federal agency issue its own information quality guidelines.

As you indicated in your public comments, guidelines have not been posted on our website, and your Freedom of Information Request received a no records denial. The Corps has not promulgated its own guidelines, but is implementing the DQA through the IQG issued by the Department of Defense. Additionally, the Department of the Army has drafted procedures and prepared a website for implementation of the DQA program within Army. The Corps will implement the Army procedures when they become final. Additional implementation requirements are being reviewed by Corps Headquarters. In the interim, requests for correction or other questions regarding the Corps implementation should be forwarded to Headquarters, U.S. Army Corps of Engineers, Corporate Information Office, ATTN: CECI-TR/Ms. Genovese, 441 G Street, NW, Washington, DC 20314-1000.

Regarding your concerns about navigation structures and the impacts of those structures, the authorized navigation mission is to provide a safe and reliable navigation channel. The Commission believes it is important to educate everyone on the cause/effect relationships that exist as a result of navigation structures. An educated public is important to creating a vision for our rivers and nation.

In your statement you asked why the Mississippi River Commission (MRC) uses the Motor Vessel MISSISSIPPI for these public meetings. Statutes and regulations require the MRC to conduct public meetings either on government boats such as the Motor Vessel MISSISSIPPI during the semiannual inspection trips or at the MRC Headquarters office in Vicksburg, Mississippi (reference 33 U.S.C. Sec. 646 and 702h and 33 C.F.R. Sec. 209.50(c)). The 1879 authorizing legislation for the establishment of the MRC requires the MRC to conduct semiannual inspection trips for the purposes of examining and investigating the Mississippi River and its

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tributaries. See 33 U.S.C. Sec. 702h and 641 et. seq. The MRC semiannual inspection trips and hearings facilitate the public's ability to provide necessary information that increases the understanding of the complex needs and issues facing the people living in the Mississippi River Valley region.

The Corps manages lands associated with the 9-foot navigation channel through the St. Louis District's Rivers Project Office. The Riverlands Area is a public day-use area that falls under the management of the Rivers Project Office. Minimal services are provided to the public to meet both public health and safety

standards. Budget constraints during Fiscal Year 2003 impacted some of these minimal services, specifically the mowing of grass. Our public health and safety standards were not jeopardized during this reduction in service. It is unfortunate that you were displeased with the aesthetics of the site for a period during last year's budget cycle. We will continue to strive to maintain services to meet the public's needs.

The MRC appreciates the comments made by organizations to help us better understand the issues relative to the Mississippi River watershed. The MRC understands your concern about improved access by the river to its floodplain and improved access to the river for people. It is necessary to work collaboratively to find a balanced approach to managing the watershed that meets all needs and maintains a sustainable system.

The Commission appreciates receiving your comments and will be pleased to hear from you at our future public meetings.

Sincerely,

Don T. Riley
Brigadier General, U.S. Army
President Designee, Mississippi
River Commission